

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/722,199
		Filing Date	November 25, 2003
		First Named Inventor	Dwayne R. Nelson
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	5	Attorney Docket Number	29757/P-262A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08a/b
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MARSHALL, GERSTEIN & BORUN LLP Aaron M. Peters - 48,801
Signature	
Date	January 27, 2004

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Dated: January 27, 2004

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Dated: January 27, 2004

Signature: _____

(Nelson M. Peters)

Docket No.: 29757/P-262A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dwayne R. Nelson

Application No.: 10/722,199

Filed: November 25, 2003

Art Unit: Not Yet Assigned

For: APPARATUS AND METHOD FOR A
GAMING UNIT THAT CHANGES WITH
TIME

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed within three months of the U.S. filing date (37 CFR 1.97(b)(1)).

A copy of only those references listed below is attached:

US Doc No.	Patentee	Publication Date
5,697,843	Manship et al.	December 26, 1997

For. Doc No.	Ctry	Patentee/Applicant	Publication Date
2 201 279	GB	Chadwick et al.	August 24, 1988
196 44 691	DE	Schattauer et al.	March 26, 1998
WO 99/24947	PC	Randall	May 20, 1999
1 063 622	EP	Jaffe et al.	December 27, 2000

Other Documents
International Search Report mailed December 12, 2003, for International Application No. PCT/US02/04901, International Filing Date, February 20, 2002

Those patent(s) or publication(s) which are marked with a double asterisk (**) next to the Cite No. in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/790,231, filed February 21, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter

Application No.: 10/722,199

Docket No.: 29757/P-262A

filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29757/P-262A. A duplicate copy of this paper is enclosed.

Dated: January 27, 2004

Respectfully submitted,

By 

Aaron M. Peters

Registration No.: 48,801

MARSHALL, GERSTEIN & BORUN LLP

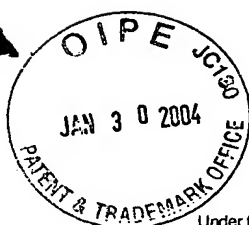
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/722,199
				Filing Date	November 25, 2003
				First Named Inventor	Dwayne R. Nelson
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	29757/P-262A

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A**	US-4,455,025-A1	06-19-1984	Itkis	
	B**	US-4,635,937-A1	01-13-1987	Dickinson et al.	
	C**	US-4,711,451-A1	12-08-1987	Pajak et al.	
	D**	US-4,760,527-A1	07-26-1988	Sidley	
	E**	US-4,837,728-A1	06-06-1989	Barrie et al.	
	F**	US-4,856,787-A1	09-23-1997	Itkis	
	G**	US-5,154,429-A1	10-13-1992	LeVasseur	
	H**	US-5,192,076-A1	03-09-1993	Komori	
	I**	US-5,370,399-A1	12-06-1994	Liverance	
	J**	US-5,575,717-A1	11/1996	Houiet et al.	
	K	US-5,697,843-A1	12-26-1997	Manship et al.	
	L**	US-5,971,850-A1	10-26-1999	Liverance	
	M**	US-6,254,483-A1	07-03-2001	Acres	
	N**	US-6,354,943-A1	03/2002	Miura	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	O	GB-2 201 279-A1	08-24-1988	Chadwick et al.		
	P	DE-196 44 691	03-26-1998	Schattauer et al.		
	Q	WO-WO 99/24947-A1	05-20-1999	Randall		
	R	EP-1 063 622-A2	12-27-2000	Jaffe et al.		

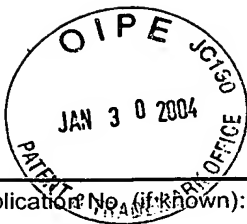
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	S	International Search Report mailed December 12, 2003, for International Application No. PCT/US02/04901, International Filing Date, February 20, 2002.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/722,199

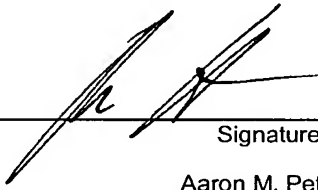
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IDS (Citation) by Applicant